



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

SEP 28 2004

REPLY TO THE ATTENTION OF
(AE-17J)

Robert Hodanbosi, Chief
Division of Air Pollution Control
Ohio Environmental Agency
Lazarus Government Center
P.O. Box 1049
Columbus, Ohio 43216-1049

Re: Notice of Violation
ISG Cleveland Inc.
Cleveland, Ohio

Dear Mr. Hodanbosi:

Enclosed is a copy of the Notice of Violation (NOV) that the United States Environmental Protection Agency (we) issued today to ISG Cleveland Inc. (ISG). We find that ISG at 3060 Eggers Road, Cleveland, Ohio, has violated the Ohio State Implementation Plan (SIP) pursuant to Section 110 of the Clean Air Act, 42 U.S.C. § 7410, at the Cleveland, Ohio facility.

Specifically, ISG exceeded twenty percent opacity, as a six-minute average of visible particulate emissions from its No. 1 Basic Oxygen Furnace (BOF) shop. Evidence of the violations consists of the facility's own continuous opacity monitoring data for the No. 1 BOF electrostatic precipitator stacks.

Section 113 of the Clean Air Act, 42 U.S.C. § 7413, gives us several enforcement options including issuing an administrative compliance order, issuing an administrative penalty order, or bringing a civil or criminal action. We hope that this NOV will substantially aid ISG's efforts to comply immediately.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Stephen Rothblatt".

Stephen Rothblatt, Director
Air and Radiation Division

Enclosure

CC: Richard Nemeth, Commissioner
Cleveland Department of Public Health
Division of Air Pollution Control



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SEP 28 2004

REPLY TO THE ATTENTION OF
(AE-17J)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Richard Zavoda, Environmental Manager
ISG Cleveland Inc.
3060 Eggers Road
Cleveland, Ohio 44105

Re: Notice of Violation
ISG Cleveland Inc.
Cleveland, Ohio

Dear Mr. Zavoda:

The United States Environmental Protection Agency (U.S. EPA) is issuing the enclosed Notice of Violation (NOV) to ISG Cleveland Inc. (ISG). We find that ISG has violated the Ohio State Implementation Plan (SIP) pursuant to Section 110 of the Clean Air Act, 42 U.S.C. § 7410, at the Cleveland, Ohio facility. The U.S. EPA is issuing the enclosed NOV pursuant to Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413(a)(1).

We have several enforcement options under Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413(a)(1). These options include issuing an administrative compliance order, issuing an administrative penalty order, or bringing a civil or criminal action. The options we select may depend on, among other things, the length of time it takes to achieve and demonstrate continuous compliance with the rules cited in the NOV.

We are offering ISG an opportunity to confer with us about the violations alleged in the NOV. The conference will give ISG the opportunity to present information on the specific findings of violation, any efforts ISG have taken to comply, and the steps it will take to prevent future violations of this nature.

Please plan for your facility's technical and management personnel to attend the conference to discuss meaningfully compliance measures and commitments. You may have an attorney represent you at this conference.

The U.S. EPA contact in this matter is Reza Bagherian. You may call him at (312) 886-0674 to request a conference. You should

make this request as soon as possible, but no later than 10 calendar days after you receive this letter. We should hold any conference within 30 calendar days of your receipt of this letter.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'S. Rothblatt', written over a horizontal line.

Stephen Rothblatt, Director
Air and Radiation Division

Enclosure

cc: Robert Hodanbosi, Chief
Division of Air Pollution Control
Ohio Environmental Protection Agency

Richard Nemeth, Commissioner
Cleveland Department of Public Health
Division of Air Pollution Control

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:)	
)	
ISG Cleveland Inc.)	NOTICE OF VIOLATION
Cleveland, Ohio)	EPA-5-04-OH-16
)	
)	
Proceedings Pursuant to)	
Section 113(a)(1) of the)	
Clean Air Act,)	
42 U.S.C. §§ 7413(a)(1))	
)	

Notice of Violation

The United States Environmental Protection Agency (U.S. EPA) finds that ISG Cleveland Inc. (ISG) at 3060 Eggers Road, Cleveland, Ohio, has violated the Ohio State Implementation Plan (SIP) pursuant to Section 110 of the Clean Air Act, 42 U.S.C. § 7410, at the Cleveland, Ohio facility as follows:

SIP Regulatory Authority

1. U.S. EPA approved the Ohio Administrative Code (OAC) Chapter 3745-17-07(A)(1) as part of the federally enforceable Ohio SIP on June 27, 1994. 59 Fed. Reg. 27464
2. OAC 3745-17-07(A)(1)(a) requires that visible particulate emissions from any stack shall not exceed twenty percent opacity, as a six-minute average.
3. OAC 3745-17-07(A)(1)(b) requires that visible particulate emissions from any stack may exceed twenty percent opacity, as a six-minute average, for no more than six consecutive minutes in any sixty minutes.

Factual Background

4. ISG owns and operates two basic oxygen furnace (BOF) stacks, identified as No. 94 BOF stack and No. 95 BOF stack at its No. 1 BOF shop.
5. ISG's No. 1 BOF shop is located at its Cleveland, Ohio iron and steel producing facility.
6. Emissions from the stacks at ISG's No. 1 BOF Shop are subject to the visible particulate emissions standards in OAC 3745-17-07(A)(1) of the Ohio SIP.
7. According to the permit to operate issued on December 18, 1987, ISG (formerly LTV Steel Company, Inc.) is required to operate and maintain a Continuous Opacity Monitor (COM) to continuously monitor and record the opacity of the particulate emissions from the BOF vessels at its No. 1 BOF shop.

Violations

8. Based on the continuous opacity monitoring data received for the period of May 6, 2004 through June 9, 2004, ISG reported the following exceedances of the emission limits at its Cleveland, Ohio facility (all six-minute exceptions have already been accounted for in the table):

Date	Time	Six-Minute Average Percent Opacity*	BOF Stack
May 6, 2004	1036 - 1042	41.4	No. 95 (South)
	1056 - 1100	24.1	No. 95 (South)
	1200 - 1206	28.5	No. 95 (South)
	1038 - 1042	46.4	No. 94 (North)
	1056 - 1100	23.9	No. 94 (North)
	1100 - 1106	24.9	No. 94 (North)
	1106 - 1112	21.8	No. 94 (North)

	1230 - 1236	21.4	No. 94 (North)
	1238 - 1242	26.9	No. 94 (North)
May 7, 2004	1030 - 1036	25.7	No. 94 (North)
May 8, 2004	0730 - 0736	41.7	No. 95 (South)
	1024 - 1030	48.3	No. 95 (South)
May 25, 2004	0742 - 0748	28.3	No. 94 (North)
	0748 - 0754	27.6	No. 94 (North)
	0754 - 0800	25.0	No. 94 (North)
	0818 - 0824	29.4	No. 94 (North)

* The six-minute exemption periods provided in OAC 3745-17-07(A)(1)(b) are excluded from the data in this table.

9/28/2004
Date



Stephen Rothblatt, Director
Air and Radiation Division

CERTIFICATE OF MAILING

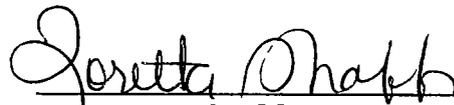
I, Loretta Shaffer, certify that I sent a Finding of Violation by Certified Mail, Return Receipt Requested, to:

Richard Zavoda, Environmental Manager
ISG Cleveland Inc.
3060 Eggers Road
Cleveland, Ohio 44105

I also certify that I sent copies of the Finding of Violation by first class mail to:

Robert Hodanbosi, Chief
Division of Air Pollution Control
Ohio Environmental Agency
Lazarus Government Center
P.O. Box 1049
Columbus, Ohio 43216-1049

on the 29th day of September, 2004.



Loretta Shaffer, Secretary
AECAS, (MN/OH)

CERTIFIED MAIL RECEIPT NUMBER: 7001 0320 0006 1558 5335